

# HYLAN SAYS NIXON DEFIED LAW IN RAISING FARE IN QUEENS

mean the Interborough and the B. M. T., though he doesn't say so. Commissioner Nixon said that his letter to the Mayor covered all phases of the issue raised by the letter. Commissioner Nixon said matters were working out to the general satisfaction of the people of Flushing and vicinity. He then added:

"Yesterday I called particular attention to the fact that the net work of railways was cut across by the city line. As all outside of this line was subject to zone fares, the logical solution was to apply similar charges to the lines within the city.

"The system affected is unrelated to the great traction systems of the rest of the city and no precedent could arise from the giving of relief to this independent system. The cars on that system are running and they would have been shut down unless the Commission had acted."

Commissioner Nixon declined to discuss the legal phases of the controversy, declaring he was no lawyer. It is said he has written a letter to Gov. Smith.

## DECLARES THAT NIXON HAS "DEFIED THE LAW."

Declaring in a letter to Corporation Counsel Burr that Mr. Nixon had "proceeded in defiance of law, as authoritatively and finally construed by the highest court in the State," in increasing fares on the North Shore line, Mayor Hylan added:

"The action would seem to be in violation of the provisions of the Penal Law of this State, and in particular section 1466, which, in so far as pertinent, reads:

"An officer . . . who wilfully misuses any provision of law regulating his official conduct . . . is guilty of a misdemeanor punishable by a fine not exceeding \$1,000, or imprisonment not exceeding two years, or both."

Mayor Hylan also called Corporation Counsel Burr's attention to section 16 of the Public Service Law, prohibiting a street railroad corporation to charge a fare "in excess of the amount allowed by law," saying that for every violation of this the city could enforce a penalty of \$5,000.

## FIVE-CENT FARE IS PART OF ITS FRANCHISE.

"The provision of this franchise," continued Mr. Hylan's letter to Mr. Burr, "as to the rate of fare, which is 5 cents, is well known to the New York and North Shore Traction Company and its officers and directors, and any increase by order of Commissioner Nixon clearly acts in violation of section 16 of the Public Service Law."

"Equally plain is the language of section 23 of the Public Service Law, which, in effect, provides that an order of the Public Service Commission shall not be valid or effective if such order is unauthorized by the Public Service Law."

"The New York and North Shore Traction Company and its directors and officers must, therefore, know that Commissioner Nixon's order is void, and confers no real authority upon them to charge more than a 5-cent fare, and if they charge more than a 5-cent fare, they do so at their peril, as the acts of any officer or agent of the company in furtherance of a void order of this kind, punishable as a misdemeanor, are directly applicable."

"Immediate action should be taken in order to protect the people living in all parts of the city from being imposed upon by unauthorized fare increases through a similar usurpation of power and disregard of law."

"I request that you give notice to the company immediately not to increase fares over these lines under the order issued by Commissioner Nixon. Proceed in this case and protect the interests of the traveling public with the same energy you have in other matters."

"The Mayor's contention that Mr. Nixon defied law in granting a higher fare was based on the so-called Quinby decision of the Court of Appeals, rendered in April, 1918. This, in effect, said that where the transit company operated under a contract with a municipality which fixed the fare to be charged, the Public Service Commission could not increase the fare."

## BELGIAN RULERS COMING SOON ON U. S. WARSHIP

King, Queen and Crown Prince Will Sail for America About Sept. 20.

BRUSSELS, Aug. 29.—King Albert, Queen Elisabeth and Crown Prince Leopold will leave for America between Sept. 20 and Sept. 24 on board a United States warship. They will board the vessel at Antwerp.

Baron Cartier de Marchienne, Belgian Ambassador, on Way.

BRUSSELS, Aug. 29.—Baron Emile de Cartier de Marchienne left Brussels yesterday for Washington as the first Belgian Ambassador to the United States. The Baron has since Feb. 1, 1917, been Belgian Minister at Washington, the office having been raised to the rank of an embassy recently. He was a member of the Supreme Economic Council of the Peace Conference. He also represented Belgium on the Inter-Allied Commission on Reparations. He was married to Mrs. Hamilton Cary of New York, in Paris, on July 16 last.

## HARD FIGHT IN KRONSTADT.

LONDON, Aug. 30.—There has been severe fighting in the streets and public squares of Kronstadt, the Bolshevik base near Petrograd, according to dispatches received from Copenhagen. Bodies were seen lying in the streets, and the Bolsheviks were advancing.

## IRISH ADVOCATES URGE SENATORS TO REJECT TREATY

Cohan and Cockran Before Committee—Owen Assails Lodge's Stand.

WASHINGTON, Aug. 30.—Asking for rejection of the Peace Treaty, American representatives of the cause of Irish freedom told the Senate Foreign Relations Committee today that the Treaty would create a super government against Ireland's interests and would establish British naval supremacy so firmly as to menace the United States.

Daniel F. Cohan of the Supreme Court of New York, Edward Dunne, former Governor of Illinois; Frank P. Walsh, Bourke Cockran and others representing various Irish organizations, appeared. They said they voiced the sentiments of more than 20,000,000 American citizens of Irish blood.

"We citizens of the United States of Irish blood," said a memorial read to the committee, "but attached above all things to this republic and its constitution, respectfully pray that the proposed Treaty now before you be rejected as a direct violation of the principles on which this war was fought, as they were defined by President Wilson."

"Ireland has been asserting continuously her claim to independence for eight centuries. One-fifth of this entire population of the United States is of Irish extraction. We ask that Ireland be not the only nation excluded from the benefit of the glorious principles enunciated by Mr. Wilson as those which the great war was fought to establish."

"We especially denounce article X of the proposed League of Nations as a device to stifle the conscience of civilization and render it impotent to condemn, and by condemning to end the oppression of weak nations enslaved by powerful neighbors."

Taking particular exception to the League of Nations proposal, Justice Cohan declared it would be "intolerable" to give Great Britain six votes in the league assembly to one for the United States.

"We fought," he said, "to destroy autocracy, which means not only militarism, the control of the land, but also autocracy, the control of the sea. We contend that the position of the British fleet is made such by this treaty, that it can be used only against the United States. Germany and Russia are in no position to contest it and France practically has been turned into a continental vassal of England."

"If we enter into a scheme which leaves to another country the mastery of the seas, we place ourselves voluntarily in the position where we shall carry on commerce with other countries as a matter of privilege instead of as a matter of right. We are asked also under the proposed plan practically to give up the Monroe Doctrine."

Mr. Walsh, chairman of the American Commission on Irish Independence, declared the League would put more than half the world in rebellion. He offered to give the committee "in executive session" reports of the interviews between members of the Irish-American delegation sent to Paris and President Wilson and other American Peace delegates. At the suggestion of Senator Johnson, Republican, California, the committee voted to receive the records and print them for public circulation.

Describing his commission in Paris, where his commission was refused a hearing at the Peace Conference, Mr. Walsh read the names of a long list of delegations from small nations who called on the Irish-Americans to ask "why the fourteen points were being disregarded. The witness said he understood that the Peace Conference 'drew lines on the map by mistake' in several cases and got several nationalities into the wrong nation."

CHARGES LEAGUE CARDS WILL BE STACKED.

Referring to the provision about disputes arising in the league, the witness said that "a dispute is Ireland" to arise very quickly about Ireland. The league assembly and council, he said, would be "stacked," because the members were admitted by a series of secret agreements.

"All Paris knew," said the witness, "that the ideals for which the United States entered the war were circumvented at the peace table. President Wilson, though a man of honest ideals, found that every one of his fourteen points had been abrogated by secret treaties."

"The English Army is in Ireland today," he said, "with every device for dealing death. I saw them fix the emplacements for machine guns to sweep the City Hall in Dublin."

"The jails are crowded with the best men in Ireland. Why? Only because they are republicans. Thousands of dollars' worth of property is

## PERSHING REFUSES TO TESTIFY AT CALL OF CONGRESSMEN

Bland Calls General's Attitude Example of War Department's "Contempt" of People.

PARIS, Aug. 30.—John J. Pershing, Commander in Chief of the American Expeditionary Force, has refused to testify before the sub-committee of three of the Congressional Committee on Expenditures by the War Department, which has been conducting an investigation in France.

The General's refusal led to the issuance of a joint statement this afternoon by Representatives Royal G. Johnson and Oscar E. Bland of the sub-committee, in which regret was expressed that there should be a conflict between the military and civil authorities of the Government.

In a separate statement in which Representative Johnson did not join, Mr. Bland declared that the General's action was an example of the "indifference and contempt" shown during the entire war by the War Department toward the wishes of the people and their representatives.

The joint statement set forth that the sub-committee delegated to examine Gen. Pershing on responsibility for the mistreatment of American soldiers in France, court-martial laws, the burial of American dead and "certain military operations, particularly on November 10 and 11, 1918," (the time of the armistice).

"Technically," says the statement, "the American Congress may have no jurisdiction over the American citizens when outside the United States, but we know no precedent for the refusal of an American citizen to recognize that jurisdiction."

The sub-committee has already examined the Secretary of War and the Chief of Staff concerning some of the matters referred to, but was told that the information was in France.

"It is regrettable that there should be even the appearance of conflict between the military and civil authorities at a time when the world should become normal and be governed, not by armies or individuals, but by law."

Gen. Pershing, on being shown the statements issued by the members of the committee, said that all the activities of the American expeditionary force were of course open to investigation, but that he found it impossible on the last day of his stay in France to comply with the request of the committee, as all his records had been shipped to the United States.

being taken. Everything is being done to break the spirit of those people.

"If this League is assented to, 200,000 men stand ready to die to bring the world back to the ideals for which America has stood."

Michael J. Ryan of Philadelphia, another member of the Walsh Committee to Paris, told the Committee that Irish claims were based on the principles of President Wilson.

Mr. Ryan said he had been told that only ten minutes was allotted for final consideration of the League of Nations covenant at the Peace Conference.

When his commission asked for a hearing at Paris, Ryan said it was referred to Col. House.

"I suggested," he continued, "that President Wilson and the other delegates be brought together to hear us, but Col. House said all of the five delegates never had come together to discuss any question."

Replying before the Senate to arguments presented by Senator Lodge against unreserved ratification of the Peace Treaty, Senator Owen, Democrat, Oklahoma, declared Mr. Lodge had been blinded by partisanship and by a distrust of popular institutions.

"The trouble with the Senator from Massachusetts," he said, "is that he really believes in the rule of the few over the many. He does not believe the people ought to have the right to initiate laws they want or veto laws they do not want. He looks upon them with less confidence than he did upon the military autocracies, for the Senator favored a league in 1915, when the autocracies were in full flower."

"He is not, as he thinks, waging a war against Woodrow Wilson. He is waging a war against the desires and the hopes of all mankind. Let him beware of throwing himself and his blinded partisanship across the path of the righteous judgment of mankind."

Austrians to Get Peace Treaty Next Tuesday.

PARIS, Aug. 30.—The Supreme Council this morning decided to hand the Peace Treaty with Austria to the Austrian Delegation next Tuesday afternoon. Five days' delay will be granted the Austrians before signature of the Treaty. The Council concluded its examination of the Austrian Treaty this morning.

A. F. of L. Organizer Held for Advertising Steel Meeting.

PITTSBURGH, Aug. 30.—James G. Sause, organizer of the American Federation of Labor for the Bethlehem Steel Company, was arrested at Duquesne, Pa., yesterday, for advertising a Federation meeting for steel workers to be held today. He was charged with violating a city ordinance.

## REAR-ADMIRAL GLEAVES TAKES ASIATIC FLEET COMMAND ON MONDAY



Rear Admiral ALBERT GLEAVES  
Commander of the Asiatic Fleet

Naval Officer Who Moved the Army Overseas and Back Goes to Important New Post.

Rear Admiral Albert Gleaves will break his flag at 11 o'clock Monday morning on the armored cruiser South Dakota in New York Harbor and assume his new station as commander of the Asiatic Fleet of the United States Navy. Because of controversies which have grown out of the Peace Conference and its work the Asiatic station has taken on new importance.

Since the United States entered the war Admiral Gleaves has been in command of the cruiser and transport force of the Atlantic Fleet. Under his direction the transport service has developed into a fleet of 149 ships manned by 4,238 officers and 57,030 men, a force larger than that of the entire Navy prior to the war.

In spite of the submarine, the cruiser and transport service carried \$11,047 men to Europe without a loss due to enemy activities and in addition supplied cruiser escorts for 509,213 men transported in foreign bottoms. In the ten months since the armistice the transport fleet has brought back 85 per cent. of our overseas army, or about 1,500,000 men. Altogether, Admiral Gleaves' force has carried across the ocean 2,511,047 Americans.

The ceremony attending the breaking of the Admiral's flag on the South Dakota on Monday will be impressive. The crew will be mustered on deck. A salute of nineteen guns will be fired. Admiral Gleaves will leave for Manila via the Panama Canal about Sept. 5. He will be succeeded at Hoboken by Capt. Casey B. Morgan, U. S. N., lately in command of the Imperator.

## LAWYER TRIED FOR KILLING OF SENATOR CARMACK SLAIN

Robin Cooper's Body Found in Tennessee Creek After He Accompanies Mysterious Autoist.

NASHVILLE, Tenn., Aug. 30.—Bearing bullet wounds and other marks of violence, the body of Robin J. Cooper, a Nashville lawyer, who after a sensational trial was convicted of the murder of former United States Senator Edward W. Carmack in 1908, was found today in Richmond Creek, near here. Cooper's conviction later revised by the State Supreme Court and no second trial was held. His father, Col. D. B. Cooper, was also convicted but was pardoned before starting his twenty years term.

Cooper had been missing since Thursday and his body was recovered about 100 yards from a bridge, where his disheveled, blood-spattered car was found early this morning. His empty pocketbook was in the car.

An automobile stopped at the Cooper home Thursday night and, according to the police, the occupants sought a fresh supply of gas. Mr. Cooper, without hat or coat, got out his own car to accompany the man to a garage.

Mr. G. F. Farmer, a neighbor of Cooper's, told the police Cooper drew \$10,000 from a local bank several days ago.

## NEW BUDAPEST REVOLT REPORTED IN PROGRESS

Amsterdam Hears of Uprising—Monarchist Movement Indicated in Hungary.

LONDON, Aug. 30.—A new revolution has broken out in Budapest, it was reported today in a dispatch from Amsterdam to the Central News Agency.

VIENNA, Thursday, Aug. 29 (Associated Press).—News despatches from Budapest and editorial comment in Hungarian newspapers generally express the belief that events in Hungary press a return to the monarchist form of government. It being declared that the Christian Nationalist Party are thinly veiled monarchists.

German Factories to Close.

BERLIN, Aug. 30.—Six of the largest electrical plants in Germany and many of the smaller industries will shut down within a few days. This is due to the coal shortage.

Shah Not Coming Here.

LONDON, Aug. 30.—The Shah of Persia will not visit the United States, according to official announcement today. He will arrive in England the end of October.

## WESTERN RAILROAD STRIKE COLLAPSES; TRAINS RESTORED

Men Vote to Go Back and Companies Put Normal Schedules in Effect.

LOS ANGELES, Cal., Aug. 30.—Practically all striking steam road engineers, conductors, brakemen and switchmen reported back to work this morning, following a vote to discontinue their strikes here, which was completed last night.

Action taken in Los Angeles a scant seven hours before the Government's ultimatum expired made it unnecessary for the Federal authorities to put into effect their threat to operate the trains beginning at 7 A. M. today. Gov. Stevens of California had come to the assistance of the Railroad Administration and had called upon all Mayors, Sheriffs and other peace officials to aid the Government.

The strikers on the Pacific Electric Railroad out of Los Angeles have not returned to work. It was to stop these men that the sympathetic strike of rail men was called without sanction of the international officers.

A portion of those attending the meeting voted not to return to work and held a further meeting. A. F. Whitney, International Vice-President of the Brotherhood of Railway Trainmen, who addressed the meeting, declared, however, the proportion of union men failing to return would be negligible.

The vote of the meeting also operated to call back to work members of the "Big Four" railway brotherhoods on strike at San Bernardino and Bakersfield, who had agreed to follow whatever action the men took here.

Striking railroad employees at Fresno and San Francisco returned to work yesterday. Admittedly the situation at Barstow was serious, men there at last reports having refused to obey the orders of the international officers to work.

However, the Railroad Administration officials counted on moving trains through that point.

Trains delayed as far east as Albuquerque, N. M., were moving westward this morning and the general feeling of railroad men here was that any men who remained out would be too few in number to affect conditions materially.

## LAUDS DRUGGISTS FOR AID IN PROHIBITION FIGHT

Anti-Saloon League Attorney Says Only Poorer Pharmacists Desire to Sell for Beverage Purposes.

The feature of the final session of the Sixty-seventh Annual Convention of the American Pharmaceutical Association today at Hotel Pennsylvania, was an address by Wayne B. Wheeler of Ohio and Washington in which the attorney for the Anti-Saloon League of America declared that the druggists had co-operated with the League in the fight for Prohibition. Wheeler declared that only a few of the poorer druggists desire to sell liquor for beverage purposes. There was no suggestion in Mr. Wheeler's talk of the old slogan of the liquor men.

"Tush, my little bar-room, don't you cry."

"You'll be a drug store by and by." It was realized, Mr. Wheeler said, that the use of alcohol in the pharmacy is indispensable. The Anti-Saloon League, he said, does not intend to interfere with the manufacture and sale for legitimate medicinal purposes.

STOCKMEN ACCUSE PACKERS.

Charge Witnesses Before Senators Have Been Coerced.

WASHINGTON, Aug. 30.—Charges that the five big meat packing companies have in some cases "coerced" witnesses before the Senate Agriculture Committee at hearings on legislation for regulation of the industry and in others paid their expenses, were placed in the Committee record today.

The accusations were contained in a telegram from H. A. Jastre, Chairman of the Market Committee of the National Livestock Association, to Senator George, Republican, North Dakota.

\$60 Bonus Paid to 98 Per Cent. of Soldiers.

WASHINGTON, Aug. 30.—The task of paying the \$60 bonus to discharged soldiers is 98 per cent. complete, it was announced today. Payments have been made to 1,374,000 soldiers who were discharged without having received it.

6,000 Strikers in Bridgeport Get Back to Work; No Rate.

BRIDGEPORT, Conn., Aug. 30.—The six thousand employees of the Columbia Graphophone Company here, who have been on a strike for a month, have agreed to go back to work. They get no increase in wages.

Plot to Kill High Costa Ricans.

SAN SALVADOR, Republic of Salvador, Friday, Aug. 29.—Discovery of a plot to assassinate former Provisional President Julia Acosta of Costa Rica and Gen. Chao, chief of the forces which carried out a successful revolt in that country recently, is reported in despatches from Managua.

## OFFERS 600,000 DOZEN EGGS HERE AT 50 CENTS A DOZEN

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with the fair market wholesale price at 37 to 40 cents.

Legs of mutton were sold for 18 cents a pound.

Cross rib roasts were offered at 24 cents a pound.

Round and sirloin steaks were offered at 30 cents.

Loins mutton chops went for 25 cents. Shoulder chops dropped to 16 cents.

Chuck steak brought 15 1/2 cents. Stewing mutton was offered at 19 cents.

Chopped meat was quoted at 16 cents while boneless pot roast went begging for 16 cents.

Dr. Day, Commissioner of Markets, is moving 500,000 pounds of eggs from the public schools for sale Tuesday morning. The eggs have been assembled at the Queensborough Bridge Market, unpacked from the original cases in which it was shipped to the army warehouses, and done up in other packages containing the supply for each school. Each slab of bacon has the weight and cost marked on it and none will be cut at the schools.

After the slab bacon is sold out Dr. Day will have canned bacon packed in cans of six and twelve pounds capacity. This is a higher grade bacon than the slab and will sell at from 25 to 37 cents a pound. Packed as 1/2 lb. Dr. Day declares that it will keep indefinitely. He says if the public shows a demand for it he is prepared to add more to his original requisition.

In addition to these new stocks for the school markets, Dr. Day announces that Tuesday there will be placed on sale the following canned goods: 300,000 pounds evaporated apples, 500,000 pounds evaporated peaches, 750,000 pounds evaporated prunes, 85,000 cans asparagus, 72,000 cans jams, 72,000 cans uconas. The prices set for these goods are as follows:

Item	Price
Apples, evaporated, large size, 1 lb. can	12c
Peaches, evaporated, large size, 1 lb. can	12c
Prunes, evaporated, large size, 1 lb. can	12c
Asparagus, 1 lb. can	12c
Jams, 1 lb. can	12c
Uconas, 1 lb. can	12c

Deputy Commissioners Smith and O'Malley are negotiating with Capt. Stewart, Director of Sales for the Government, the question of getting more condensed milk. The demand for this commodity has swamped the sales force in the schools and it is the hope that more condensed milk may be available.

Total sales yesterday were \$50,000. Thursday \$50,000 and Wednesday \$50,000. The drop is explained by reason of housewives having stocked up on the commodities on sale, and Dr. Day looks for a big increase as soon as the bacon and canned goods are placed on sale.

RESTORATION OF UNFAIR PRICES PAID FOR SUGAR.

Food Administrator Williams announced today that his office had obtained a promise of pentest restoration of unfair sums made by profiteering from the United Sugar Company of No. 471 Ninth Avenue after investigation showing, he said, that in at least one instance the company had collected 14 cents a pound wholesale for sugar when the proper price was 9 1/2 cents a pound.

"The case was flagrant," Mr. Williams said. "We had a complaint, accompanied by bills, showing that Evans Bros., of Hurleyville, N. Y., had bought through M. F. Prince & Co., brokers, who, so far as this office can learn, was entirely straightforward in the transaction, 200 pounds of sugar for which Evans Bros. were charged \$28."

"The United Sugar Company asserted to the agents of the Food Administrator's office that no sugar had been sold at such a price. But on exhibition of the bills a rebate of 9 1/2 cents was paid, acknowledging that 9 1/2 cents was the fair price and promised us that they would make similar rebates on all other bills charged at 14 cents a pound."

"Publishing of facts in instances like this will break up profiteering more rapidly than any threats of future prosecution," said Mr. Williams. Numerous complaints of profiteering were received today at the office of Administrator Williams. Some of them were directed against up-State and New Jersey offenders. Mr. Williams said he had investigated and had adjustments in 130 cases last week.

Michael Friedman, who is trying to work out a fair price schedule for clothing and shoes, told Mr. Williams today that substantial benefits to purchasers were indicated by the way persons in the trade were co-operating with his committee.

Investigators of the administrator's office reported today that delicatessen and stand dealers were keeping more closely to fair price schedules than complainants could possibly realize.

Federal Food Administrator Arthur Williams today suggested a permanent Government food agency, similar to the Weather Bureau, for the purpose of furnishing to the people information all over the country about supplies and prices of food and clothing. He may take up the matter with the Washington authorities.

Expressing satisfaction at the progress of the war on the high cost of living, Mr. Williams today started a campaign to reduce prices at Coney Island, where he has received many complaints.

The hoarder was beaten, he said, not only because he realizes his faces exposure and prosecution, but because he knows hoarded goods henceforth must be sold under fair margins, and it will not profit him to hoard.

Gov. Smith, who was at the Biltmore today, has announced that fair price milk committees may be appointed for every first and second class city in the State.

Hippodrome Signs Equity Contracts; Recognizes Union.

(Continued from First Page.)

Hippodrome. To-day's settlement was the result of a meeting held last night, attended by H. O. Winsor, Vice President of the United States Realty and Improvement Company; Mr. Luescher and representatives of Equity and all the theatrical unions. Mr. Winsor was surprised when Miss Dresser produced figures which, she said, established that the chorus girls had a hard time making both ends meet on minimum salaries of from \$25 to \$30 a week.

(Continued from First Page.)

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